

**AFFIDAVIT OF SPECIAL AGENT MATTHEW R. ZAREMBA IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT FOR GOOGLE**

I, MATTHEW R. ZAREMBA, state:

INTRODUCTION AND AGENT BACKGROUND

1. I have been a Special Agent with the FBI since 2006. I am currently assigned to the Boston Field Office, Lowell Resident Agency. I am assigned to work Counterterrorism and Criminal matters to include investigations focused on transnational organized crime, threats to life, violent gangs, drug trafficking, and violent crimes against children. Prior to my current assignment I was assigned to FBI Headquarters where I worked joint overseas investigations related to threats against the United States to include kidnappings, murders, terrorist plots and attacks. I have also worked on a Combined Joint Interagency Task Force, served as an Assistant Legal Attaché in South Africa, and worked on the FBI's Joint Terrorism Task Force in Boston, MA.

2. As an FBI Special Agent, I am authorized to investigate violations of the laws of the United States, including violations of federal narcotics laws in Title 21 of the United States Code. I am familiar with the manner and means commonly employed by drug traffickers, including those employed to avoid detection by law enforcement. I am also familiar with the terminology and slang commonly employed by drug traffickers. In my training and experience, I have observed and examined cocaine, cocaine base ("crack"), heroin, fentanyl, methamphetamine, oxycodone, and other controlled substances that are, by themselves, illegal to possess. I am aware of the prices commonly charged on the street for these substances, the method of packaging, and the jargon used in their trade.

3. I have participated in various aspects of drug-related investigations. I have

participated in controlled purchases of controlled substances utilizing confidential sources and undercover law enforcement agents and officers. I have prepared affidavits in support of applications for criminal complaints, search warrants, and/or arrest warrants. I have also conducted and coordinated electronic and physical surveillance of individuals involved in the illegal distribution of controlled substances.

4. Based on my training and experience, I am familiar with the methods of operation employed by drug traffickers operating at the local, statewide, national and international levels, including those involving the distribution, storage, and transportation of controlled substances and the collection of money that constitutes the proceeds of drug-trafficking activities. Specifically, I am familiar with the manner in which drug traffickers use vehicles, common carriers, mail and private delivery services, and a variety of other means to transport and distribute narcotics and the proceeds of narcotics trafficking. I am familiar with the manner in which drug traffickers often store drugs and drug proceeds in storage sites commonly referred to as “stash houses.” I also am familiar with the manner in which drug traffickers use telephones, coded or slang-filled telephone conversations, text messages, pager messages, and other means to facilitate their illegal activities.

5. Based on my training and experience, I am aware that drug traffickers commonly use cellular telephones to communicate and further their drug-trafficking activities. However, drug traffickers are aware of law enforcement’s use of electronic surveillance, and thus frequently endeavor to thwart detection by changing cellular telephone numbers, using multiple cellular phones at the same time, and/or utilizing prepaid cellular phones where the user of the phone is not required to provide personal identifying information. I am also aware that drug

traffickers frequently “drop” or change cellular telephone numbers and cellular telephones in an effort to thwart law enforcement’s use of electronic surveillance. I am familiar with the manner in which narcotics traffickers use telephone, coded, veiled, or slang-filled telephone conversations when discussing their illegal business, in an effort to further prevent detection, and that they often use text messages in lieu of phone calls to avoid speaking over the telephone. I am familiar with the “street” language used by drug traffickers, as well as the methods they use to disguise conversation and operations

6. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show that there is probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

7. I am currently investigating SARATH YUT, a/k/a “Black,” a/k/a “Khkaw,” Michael MAO a/k/a “Whitebodian,” and Sathra EM for illegal drug and firearm trafficking, robbery, and acts of violence, in violation of 21 U.S.C. §§ 841(a)(1) (possession with intent to distribute and distribution of controlled substances) and 846 (conspiracy to possess with intent to distribute and to distribute controlled substances) and 18 U.S.C. § 1956(h) (money laundering conspiracy) (collectively, the “Target Offenses”).

8. I submit this affidavit in support of an application for a warrant under 18 U.S.C. § 2703(a) and Rule 41 of the Federal Rules of Criminal Procedure to search and seize records and data from the Google Voice account identified as 703-249-9548 (“the target account”) (as described in Attachment A).

9. I have probable cause to believe that these accounts contain evidence, fruits, and

instrumentalities of the crimes identified above, as described in Attachment B.

10. According to an internal FBI database, 703-249-9548 is listed as a Bandwidth.com phone number. An inquiry to Bandwidth Legal Department produced the Current Customer of Record for 703-249-9548: Google, Inc., Custodian of Records, 1600 Amphitheatre Parkway, Mountain View, CA 94043. I have probable cause to believe that the accounts and relevant data are maintained by Google, Inc. (“Google”), which, government databases indicate, accepts service of process at:

Google's WEB PORTAL

Law Enforcement Request System (LERS)
Custodian of Records
Google LLC
1600 Amphitheatre Parkway
Mountain View, CA 94043
USLawEnforcement@google.com

as described in Attachment A.

11. The facts in this affidavit come from my personal observations and review of records, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE TO BELIEVE THAT A FEDERAL CRIME WAS COMMITTED

12. Since August 2018, the FBI, Lowell Resident Agency (RA) and Lowell Police Department have been engaged in an investigation into the One Family Clique (“OFC”), which is an alliance of several local gangs primarily based out of Lowell, Massachusetts, which includes Crazy Mob Family, Crazy Brother Clan, the Outlaws, Insane Blood Gang, Ruthless Cambodian Bloods, Moonlight Strangers, Dangerous Little Bloods, Original Bloods, Diamond Crips, and Sworn Brothers.¹ OFC is an association of primarily Asian gangs but also has alliances of convenience with other non-Asian gang members. SARATH YUT, a/k/a “Black,” a/k/a “Khmaw,”² is a founder and leader of OFC and a member of Crazy Mob Family (“CMF”).

13. Members and associates of OFC are engaged in illegal drug and firearm trafficking, robbery, and acts of violence against rival gang members and associates. In particular, their cocaine, heroin, fentanyl and marijuana trafficking operations span the Lowell metropolitan area and throughout eastern Massachusetts. The CMF's drug trafficking activities are also suspected to have ties to Atlanta, Georgia; New York City, New York; Miami, Florida; Philadelphia, Pennsylvania; Richmond, Virginia; and California.

14. YUT lives at 17 Walker St, Lowell, with his girlfriend SOCHITTA SAL a/k/a Honey Cocaine a/k/a Chi Chi. Surveillance has observed YUT at this location and YUT driving a 2005 blue Dodge Ram, bearing the license plate Massachusetts Registration number 2DL-396,

¹ Members of these historically rival gangs have been observed by Lowell Police Department associating with each other. These connections are often due to familial relationships and a shared cultural background.

² “Khmaw” is Khmer for the color black. Khmer is the Cambodian language.

registered to SREYMOM SUONG (hereinafter, the “blue Dodge Ram”).³ YUT now also owns and drives a black 1998 Honda Civic sedan, bearing Massachusetts registration 1RCR67 (the “black Honda”) registered in his name. Furthermore, surveillance has observed YUT engage in counter-surveillance, such as constantly looking in his mirrors, driving in and out of several parking lots and other behaviors consistent with someone attempting to identify surveillance. As a result, law enforcement has discontinued surveillance for fear of detection.

15. On September 11, 2019, the United States District Court for the District of Massachusetts issued a search warrant for location information for (978) 996-3292 (“Target Telephone 1”), which is subscribed to Sareth YUT, 58 Midland Street, Lowell, Massachusetts⁴, and used by Sarath YUT a/k/a “Black.” Case No. 19-MJ-1264-DLC. YUT is the actual user of the Target Telephone 1 for several reasons. SARATH YUT listed the target number as his phone number on a rental agreement with Enterprise car rental. SARATH YUT supplied the target number when he created his coinbase account, as well as a photo of his driver's license (in his own name). Lowell Police Department lists the Target Telephone 1 as his number. The target phone number was also listed as “Bro” in the phone of SAROM YUT, SARATH YUT's deceased brother, which was searched after his murder.⁵

³ SREYMOM SUONG is the sister of known OFC/CMF member BARNDOL SUONG.

⁴ Sareth YUT is the sister of Sarath YUT

⁵ A June 18, 2018 shooting resulted in the death of CMF member SAROM YUT, a/k/a “Evo.” I believe that this shooting was related to a rivalry between OFC/CMF and rival Lowell gang members, the PHAN Family. Numerous incidents, including a physical assault on SARATH YUT in May 2018 and BILLY PHAN surviving a gunshot wound to the head (on the same day, June 18, 2018), led to the shooting. In fact, between February and September 2018, Lowell Police attribute ten incidents involving gunfire to the growing tensions between OFC/CMF and the PHANs.

16. Analysis of call detail records for the Target Telephone 1 identified a Virginia based number, (434) 505-0300, as a frequent caller to the target number. The phone number (434) 505-0300 belongs to the Virginia Department of Corrections (VA DOC), Buckingham Corrections Center, Dillwyn, VA. VA DOC records identified an inmate, Michael MAO a/k/a Whitebodian, who had frequent and regular contact with Target Telephone 1.

YUT and MAO Drug Conspiracy

17. Despite being in prison, MAO and SARATH YUT conspired to distribute controlled substances. Specifically, as the calls detailed below demonstrate, SARATH YUT agreed to deliver controlled substances to MAO in prison and MAO, in turn, arranged to pay YUT through intermediaries.⁶

18. For example, during a telephone call on January 30, 2018 at 1:37 pm, YUT said that he was sorting out his bills and wanted MAO's cousin to reach out to him. MAO gave YUT phone number (978) 332-4524 and said that it was Yany's number [the cousin].⁷ YUT said he was leaving to California on Tuesday and had a large order that day, which I believe may have been an order for drugs.

19. During a telephone call on January 30, 2018 at 4:11 pm, YUT said that MAO's cousin reached out to YUT and said that she [the cousin] would send someone to bring money to

⁶ Inmate phone calls, other than attorney-client phone calls, are recorded and made available upon request to law enforcement. At the beginning of each phone call, a prerecorded preamble informs both parties that the call is from a correctional institute and is subject to monitoring and recording.

⁷ A query of YANY LANH in CJIS resulted in YANY LANH, with a mailing and residential address of 26 Queen Street, Lowell, MA. According to a Lowell Police report on April 17, 2016, police responded for a "MEDICAL CALL/ASSIST" involving an older Asian male name SOPHON LANH, who suffered from a BB gun shot by a neighbor. SOPHON LANH had phone number 978-332-4524 on his information card. Additionally, the report stated that YANY LANH was also on scene, assisting SOPHON LANH, who was her uncle.

YUT. MAO said 28 Queen Street was her address. YUT said he just pulled up to one of his spots to meet some “Chinese niggers.” YUT also said the Chinese came to his spot to pick up money (mixed words in Khmer). I believe that MAO was using his cousin YANY LANH to send money to YUT, likely to pay for drugs. Additionally, during a telephone call on March 30, 2018 at 1:46 pm, YUT said that he had met up with MAO’s cousin and gave her 300 when they met at the 7-11 (mixed words in Khmer), which I believe referenced 300 pills.

20. In a telephone call on August 8, 2018 at 12:47 pm, MAO said he is at his new location.⁸ YUT said that he found someone out here and has 31 (mixed words in Khmer). YUT said he will just mail it to Virginia in an envelope and ship it. YUT explained to MAO to just give him 9 for each and MAO replied that it goes for 50 each down here (mixed words in Khmer). I believe that YUT agreed to supply a controlled substance, likely pills, to MAO in prison, for \$9 per unit, which MAO could sell for \$50 each (given the difficulty of acquiring controlled substances in prison, I believe that the mark-up is reasonable). Later in the conversation, YUT spoke about routes and mailing options. YUT told MAO to tell his people to wire him some money once he’s comfortable with the amount he’s made (mixed words in Khmer). YUT said his friend just gave it to him without even asking for money (mixed words in Khmer).

21. During a telephone call on August 26, 2018 at 10:33 p.m., YUT asked MAO if he spoke to his people yet and MAO said yes. YUT said that he would wait for the green light until MAO’s people hit him up and for someone to call his number and make sure they are straight.

⁸ Unless otherwise specified, all calls were between MAO from prison to SARATH YUT using the Target Telephone and were in a mix of English and Khmer. An officer who is both fluent in Khmer and familiar with the voices of MAO and YUT provided the draft synopses and translations.

MAO asked YUT what he could get and YUT said 50 to 100. MAO said 100 was perfect. I believe that YUT was telling MAO that he could get a controlled substance, again, based on the number, likely pills, and that YUT would wait until MAO told him to proceed. MAO, in turn, requested 100. Later in the conversation, MAO asked YUT if he has a friend in Virginia and YUT said he does and that person is back and forth. MAO asked if his friend has a “white girlfriend” (in Khmer) and YUT said that he has a little of everything. I believe that MAO was asking if YUT had someone who could facilitate moving drugs to Virginia, where MAO has friends and family who could bring drugs into the institution, specifically “white,” i.e., cocaine.

22. During a telephone call on September 12, 2018 at 2:45 pm, MAO asked YUT if he still talked to his friend in Virginia and YUT said yes. MAO wanted connections with “white girl,” white I understand to mean cocaine, because they did not discuss any actual girls or women during this part of the conversation.⁹ MAO wanted to know how much for an ounce and YUT said 12 for out here. MAO said his friend in prison wanted a deal to make it worth it for whatever YUT has been giving to MAO. YUT said he wouldn’t take the whole risk. MAO said he has money in his account and he can send it out (mixed words in Khmer). MAO said at the prison before it was 100 for one but where he is at now it is 30 for one. YUT said if MAO’s friend wanted to make a deal then he would have to take half of the risk (mixed words in Khmer), saying it is a sign of trust and partnership. I believe that they were discussing an arrangement under which YUT would send cocaine into the prison, to be distributed by MAO’s “friend,” which actually could have been MAO himself. I also believe that, in return for sharing the risk, YUT wanted to get money up front for the drugs, not after shipment. Later in the

⁹ MAO actually said “srey saw,” which means “white girl” in Khmer.

conversation, YUT said that he had homies in North Carolina, and spoke briefly about “Ecko” moving down there after a shooting.¹⁰ YUT also said he doesn’t do dirt with “little niggers” because they’re reckless. YUT said he will only do dirt, which I understand to criminal activity, specifically drug dealing, with MAO and Tall.¹¹

23. During a telephone call on November 22, 2018 at 8:31 pm, YUT spoke about a time when he drove from Florida and stopped by North Carolina, which I believe is indicative of regular travel by YUT. Later in the conversation, MAO said his male cousin got robbed when he was supposed to meet up with YUT, although YUT claimed to be in California at the time. MAO thought that his cousin got hemmed up with whatever group he was dealing with and it appeared that MAO attempted to connect YUT with his cousin.¹² YUT told MAO that his cousin was too messy for him to deal with because “I run a tight shift.” I believe that MAO wanted YUT to assist his cousin with criminal activity in Lynn but that YUT declined because such activity would have been riskier than YUT’s activities with longtime, trusted associates, such as other OFC/CMF members such as BARNDOL SUONG. YUT said he was in Florida a few weeks prior. YUT explained to MAO that the feds were telling local police to hold back the “Evo” murder investigation to see if “we would bite”. I understand “bite” to mean that YUT was

¹⁰ According to Lowell Police Department records, EKKAXAY NORINTH a/k/a “Ecko” is historically a CMF member and has been observed by LPD officers with other CMF members at arrests and hangout locations. On June 21, 2018 EKKAXAY was shot at in Billerica, MA, while driving on Routh 3A going towards the center of Billerica for work. The general description of the shooter and motor vehicle involved is similar to descriptions given to LPD during the investigation of the murder of SAROM YUT a/k/a “Evo” (the brother of SARATH YUT, user of the Target Telephone), which occurred three days prior on June 18, 2018.

¹¹ On occasions MAO would ask YUT where he was at or who he was with. YUT often replied “Ah Vane” (“long” in Khmer), and MAO would ask who that was. YUT would then say “Tall” or “Barndol,” who is OFC/CMF member BARNDOL SUONG, who is actually 6’1”, which is taller than most of the subjects of this investigation. MAO would then say that he understood and remembered him as “Too Tall.”

¹² FBI is still attempting to identify the cousin.

aware that law enforcement would be waiting for someone from OFC/CMF to take revenge for the series of violent acts in Lowell. YUT also said that he knows the feds are looking at him (mixed words in Khmer). While it is true that the FBI is investigating YUT, as this application demonstrates, I do not believe that YUT is referencing this specific investigation but a general awareness that the scope and length of his criminal activity has put him on the radar of law enforcement.

24. During a telephone call on January 11, 2019 at 3:22 pm, YUT told MAO that he has 40 ready for him and they're all in packages (mixed words in Khmer). YUT said he paid \$7 each and MAO should just give him whatever he wants (mixed words in Khmer). I believe that they were discussing an impending shipment of drugs, again, based on the price and quantity, likely pills. MAO said he received the other shipment before he went into the hole, i.e., segregated custody (mixed words in Khmer). I believe that they were referring to another shipment of drugs that YUT sent to MAO, possibly the cocaine that they had discussed earlier. YUT told MAO to find someone on his end to send it while YUT will do the same (mixed words in Khmer). YUT said his guys have a few hundreds and he has 40 on deck with them. YUT says he has Cash App and Venmo. I believe that YUT was asking MAO to arrange someone to pay YUT for the drugs, which would likely involve a transaction by someone other than MAO, who was in prison, and would therefore constitute a money laundering transaction, and that YUT had a source with hundreds of unit, of which YUT would get 40.

25. During a telephone call on January 12, 2019 at 1:35 pm, YUT wanted MAO's cousin to know that he had Cash App and Venmo, whatever worked for her.¹³ YUT said his

¹³ MAO's female cousin was later identified as YANY LANH.

Cash App name is “5hrimpdick978” with a picture of a white kid. YUT explained to MAO that she had to put the “\$” symbol before the 5hrimpdick978. MAO laughed at the account name and asked when YUT did business with people, was that what he gives them and YUT said yes. I believe that YUT was conspiring with MAO for a concealed transaction, under which MAO’s cousin would put money into an account owned by YUT, but not in his own name, to pay YUT for the drugs supplied to MAO.

26. Subpoena return results have identified a Cashapp account identified at SARATH YUT’s account:

Name: BIG DiPPER
 Display Name (History): Sarath Yut
 Date of Birth: --/--/1986
 Last Four of Social: 3292
 Phone Number (History): 9789963292
 Email (History): ridelow86@gmail.com
 Cashtag (History): 5hrimpdick978; 5hrimpdick
 Address: 58 Midland St, Lowell, MA 01851
 Card Brand: Jeanne D'Arc Credit Union
 Card: -----4132
 Bank Account Number: -----8185
 Routing Number: 211383846

27. Pursuant to a review of SARATH YUT’s Jeanne D’Arc Credit Union checking account, ending in -----8185, on January 11, 2019, approximately \$240 was deposited from Square Inc. and \$70 was withdrawn to SQC. Per an open source internet search, Cash App is a mobile payment service developed by Square, Inc. (SQC). On January 14, 2019, approximately \$735 was deposited from SQC into the account. On January 17, 2019, approximately \$205 was withdrawn to SQC. On January 18, 2019 approximately \$1,580 was deposited from Square Inc.

Further, on January 22, 2019 approximately \$915 was withdrawn by SQC and approximately \$350 was deposited from Square Inc.

28. On January 13, 2019 according to Cashapp records, at 03:16:49 UTC, YUT's account received \$300 from Jonathan Mao account# 4000220531218853. And on January 28, 2019, according to Cashapp records, at 16:48:56 UTC, YUT's account received \$200 from Sakhol Sim, account # 4266841421043009; subject "1/5". I believe that these payments were in furtherance of the YUT-MAO drug conspiracy.

29. During a telephone call on January 28, 2019 at 1:41 pm, MAO said that he wanted YUT to write on a piece of paper "from Spook" and put it in the package. YUT said that he would drop it in a box because the packages are small and it didn't weigh anything. YUT said it was in an envelope, but MAO wanted YUT to use boxes instead with set prices just to be safe. YUT said he would get prepaid boxes in the future and that he will send 100 today. I believe that they were discussing a shipment from YUT to MAO, which was likely drugs because of the concern which they expressed over the package.

30. During a telephone call on February 6, 2019 at 8:00 pm, MAO spoke about knowing an inmate who knew local gang members in the Lowell area. YUT told MAO "tell him nigger, it's OFC, then he'll know what's up." YUT then said to MAO, "they know us as OFC... One Family. In jail¹⁴ out here as OFC...One Family Clique and they'll know exactly who we are."

31. On February 8, 2019 according to Cashapp records, 06:10:11 UTC, YUT's account received \$800 from Sakhol Sim, account # 4792131225866240; subject "the rest".

¹⁴ He used the Khmer word "Kok," which means jail.

32. During a telephone call on February 27, 2019 at 3:07 pm, MAO told YUT that the prison was hot right now but YUT said it should be good because of the way it was packaged (mixed words in Khmer). I believe that YUT was referring to the anticipated shipment of a controlled substance which YUT had sent, or was planning to send, to MAO in prison. YUT told MAO that he had to get rid of his pickup, not this one but the other one.¹⁵ YUT explained to MAO that he should start networking with inmates in there so when he gets out, the connections would be there. YUT said that he sold everything from marijuana, white [cocaine], dog food, which I have not yet identified, and everything (mixed words in Khmer). YUT told MAO he has things coming from California, Chicago, and the Midwest (mixed words in Khmer). YUT said he went to California to talk with CMF and CBC gangs to start working with him. I believe that YUT was referring to incoming drug shipments and additional sources of supply that he was trying to develop.

33. During a telephone call on April 23, 2019 at 12:35 pm, YUT said that he was at the post office sending some things to “the other side” (in Khmer). YUT wanted MAO to send money to “Shrimp Dick” and spelled out 5shrimpdick978 to MAO. MAO said it is hard to “sell” (in Khmer) because people don’t know what is what and spoke about types of drugs, including Molly, which refers to MDMA. YUT said that he could send whatever color they like. MAO asked YUT, how much could he get, 200, 300? Black said he had “30” (in Khmer) at the crib. YUT said that he just came back from the post office, shipping some things to California. I believe that YUT was telling MAO that he had shipped a package of money to California as

¹⁵ Surveillance has observed YUT driving the blue Dodge Ram.

payment for drugs and was offering to ship drugs to MAO in jail, after MAO provided payment to the “Shrimp Dick” account.

34. As part of the same conversation, MAO asked when was the last time YUT spoke to “Shane” and YUT said a few days ago about shipping some things to Shane’s place. YUT was going to explain to Shane that he is trying to network out in California, offering him \$500 a week for picking up shipments but Shane never responded. YUT also said he has some connection in North Carolina. YUT said he was packing his items in dog food and making sure that he wraps it up three times before shipment (mixed words in Khmer). I believe that YUT was referring to his illegal drug business, specifically a source in California, and also his means of shipping drugs, specifically in dog food (to avoid discovery by drug detecting dogs). YUT said he just got a shipment in yesterday and everything he gets is through the mail. YUT said he has an army out and a little spot. I believe that YUT was again referring to his shipment of drugs, which relies on using the mail and making trips to the post office for mailing the drugs. YUT explained that everything that comes in goes through him and each package is worth \$30-40k (mixed words in Khmer). YUT asked MAO to see if a certain someone wants to work for him. YUT said he may be in California in a few days.

35. During a telephone call on April 24, 2019 at 12:18 pm, MAO said he sent \$1000 to YUT’s Cash App, and YUT replied that his “guy” was getting the stuff ready. YUT said it comes in “powder” (in Khmer) and looked like Hawaiian Punch powder. MAO wanted YUT to check his Cash App right now and YUT said “I got it”. According to Cashapp records at 16:13:13 UTC (12:13pm local), account 4941390028788577 screen name Michael paid \$1,000 to YUT’s account; subject “For Studio Equipment from Mike. I believe that MAO had sent a

concealed payment through the Cash App and that YUT would send a shipment of drugs, which was likely MDMA, which is also known as ecstasy and MDMA, and is transacted as a powder.

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36. During the same conversation, YUT also said he was sending some things to California soon (mixed words in Khmer). MAO wanted to know when YUT's friend would have the stuff. YUT said that his friend would have about 50 and YUT would have 35 and it would ship Thursday. YUT said to MAO to tell his workers to text him their number to verify and that it would be en route. YUT said Shane was scared so he has another "homie" that would receive the shipments. YUT explained that he would have given Shane \$250 per package and he explained to him how the process worked. YUT said they would use excuses such as "it is my address but it isn't my name" on the packages. YUT said that you could send the packages to an address without a name, labeling it "return to sender" on the right side of the package. YUT said if the "pigs" kick the doors down and ask questions, then you could play stupid. YUT said he packs his stuff good and tight and was going to pay Shane \$500 a week for two packages, making \$2000 a month (some words in Khmer). YUT explained that you didn't have to be home and could just watch the tracking number associated to the packages. YUT explained that you should try to remember your mailman and when he came and to be home for a few hours before

¹⁶ On October 14, 2019 at approximately 11:37 p.m. YUT and Sochitta SAL are seen exiting 105 Tanner Street via pole camera. YUT was carrying a large black plastic trash bag and placed it in the Blue Dodge Ram pickup truck (the "blue Dodge") he is known to drive. YUT and SAL both enter the blue Dodge. At approximately 11:40 p.m. the blue Dodge departed 105 Tanner Street. At approximately 11:45 p.m. electronic surveillance placed the blue Dodge at 685 Lawrence Street, Lowell, MA. 685 Lawrence Street is a historical address for YUT. On October 15, 2019 at approximately 4:30 p.m. investigators executed a trash cover on the dumpsters located at 685 Lawrence Street, Lowell, MA. One large black plastic trash bag was recovered, which contained United States Postal Service priority mail packaging with the name Jason Chan (a known alias of YUT) and multiple plastic bags with MDMA, Cocaine, or Fentanyl/Methamphetamine compound residue.

and retrieve the packages. YUT said that someone would pick up the packages that night upon being delivered by the mailman. MAO said YUT should receive a text from a “434” number and to get the deal going. I believe that YUT further described in more detail another aspect of the drug conspiracy, specifically how he received shipments of drugs. In particular, YUT said that he received packages to various addresses. I am aware that drug traffickers frequently ship drugs to addresses without a name or under a false name. In those situations, the traffickers have to pick up the shipments.

37. During a telephone call on May 22, 2019 at 1:02 pm, MAO said that he had half of YUT’s money right then (mixed words in Khmer). MAO said he got rid of the stuff last Saturday and wants more. YUT said depending on how much MAO needs, it would take his boy a few days to prepare (mixed words in Khmer). YUT also said that he did not go to any gyms in town because the police were always on him since his brother’s death. I believe that MAO had received a shipment of drugs from YUT, as described in previous calls; that MAO had sold the drugs at the prison; that MAO had a portion of the money to pay for the drugs; and that MAO wanted another shipment. I believe that this call indicates that the YUT-MAO drug conspiracy is ongoing and that MAO paid for the drugs over multiple payments.

38. On June 1, 2019 according to Cashapp records at 01:15:12 UTC, account 4941390028788577 screen name Michael, paid YUT’s account \$1,500.00; subject “Studio Payment”.

39. During a telephone call on June 2, 2019 at 8:48 pm, YUT said that he was at Tall’s house hanging out. YUT asked MAO if they took blue in there, “the 30’s” (mixed words in Khmer). MAO appeared not to understand and YUT said “it’s an Asian Boy Blue... them

perky titty girls... she's about 30." YUT said his connect would be ready when MAO was. I believe that YUT had drugs, specifically "perc 30s," which is slang for 30 mg Percocets, a brand name of oxycodone pill, which YUT was offering to sell to MAO.¹⁷ MAO asked if he had to send 1000 and YUT replied 1500 (mixed words in Khmer). YUT said that he would get MAO connected to his homeboys in NY when he came out. MAO asked YUT if his people told him yesterday to order 200 (mixed words in Khmer). MAO said he would send 200 for that. YUT said he would cover 100 and MAO cover the remaining 100. YUT said he would send 500 for 100. I believe that YUT was offering to provide "perc 30s" to MAO in jail as a discounted rate, which was likely because YUT and MAO were friends. In fact, I believe that their friendship was likely the reason why YUT would deal in relatively small quantities of drugs.

40. On June 3, 2019 according to Cashapp records at 03:07:53 UTC, account 4941390028788577 screen name Michael, paid YUT's account \$500.00; subject "Here is the rest for the studio payment".

41. On May 28, 2019, an FBI cooperating witness (hereinafter, CW-3)¹⁸ made a controlled purchase of approximately 25 light blue pills, which were described as Percocet from

¹⁷ In my training and experience, I am aware that while drug buys frequently request oxycodone, oxycodone is actually harder to get illegally. Instead, drug dealers frequently sell heroin or fentanyl, pressed into pill form, as oxycodone, even calling them "percs" or "oxy."

¹⁸ Between May 2019 and August 2019, CW-3 made six consensually monitored controlled purchases of illegal narcotics, including cocaine, fentanyl and heroin, and one consensually monitored purchase of illegal narcotics and a firearm from SAMBO BUTH. CW-3 is facing state charges and is cooperating in the anticipation of a recommendation for more lenient treatment. CW-3 has also been paid by the FBI for providing assistance. CW-3 has criminal convictions including illegal firearms possession, home invasions, and witness intimidation. CW-3 has provided information and assistance which has led to search and arrest warrants and I am not aware of CW-3 providing information that was found to be unreliable. I believe that the information provided by CW-3 in this investigation is accurate because of CW-3's record for reliability and because of the use of consensual recordings for corroboration.

SAMBO BUTH, a known CMF member.¹⁹ The Drug Enforcement Administration, Northeast Laboratory confirmed that these pills were in fact fentanyl and heroin.

42. During a telephone call on June 14, 2019 at 4:45 pm, MAO called YUT and YUT said that he was by himself doing his rounds. At approximately 4:47 pm, YUT was observed via pole camera at 105 Tanner Street, Lowell, MA, talking on a cellular telephone, unaccompanied. Toll records for the Target Mobile Phone number show a phone call with (434) 500-0300, which belongs to the Virginia Department of Corrections (VA DOC), Buckingham Corrections Center, Dillwyn, VA, which is the facility housing MAO, beginning at approximately 4:46 pm and lasting approximately 20 minutes. During the course of the conversation YUT said that our product was being stacked up. Based upon other observations made at 105 Tanner Street, I believe this was one of several locations that YUT uses to package, store and distribute illegal narcotics; in fact, on August 6, 2019 at approximately 2:28pm, via the pole camera, YUT was observed entering the storage unit. Investigators have observed YUT and several of his associates regularly gather at the location, often times carrying what appear to be white boxes with red and blue striping (U.S. Priority Mail and/or U.S. Priority Mail Express).

43. On July 8, 2019 according to Cashapp records at 17:30:43 UTC, YUT's account paid \$500.00 to Michael; subject dead broke recordz. And on July 9, 2019 according to Cashapp records at 02:36:29 UTC, YUT's account paid \$500 to Michael; subject dead broke recordz. I believe that these were payments in furtherance of the drug conspiracy.

¹⁹ Prior to the controlled buy, agents searched CW-3 for money or contraband, with negative results, equipped CW-3 with recording and transmitting equipment, and instructed CW-3 to make a purchase of drugs from BUTH. Agents kept CW-3 under surveillance during the transaction, during which CW-3 met with BUTH. Following the transaction, CW-3 met agents at a predetermined location, where they again took custody of the drugs, retrieved the recording and transmitting equipment, and again searched CW-3 with negative results.

44. During a telephone call on July 31, 2019 at 2:10 pm, MAO asked YUT if his cousin ever called him and YUT said that he did but he did not pick up. YUT said to MAO that he is more established now and the guys he has are solid and that, if his cousin wanted to work with him, then he would have to put up a 50% deposit. YUT then said to MAO again that if his cousin wanted to work, he would have to put 50% down and, if they could not come up with the rest, he would keep the deposit. YUT said that he traveled and made moves, big money, a couple of hundred at a time (mixed words in Khmer). YUT also appeared to talk about a recent shooting that occurred in Lowell but said that he “didn’t hit nobody,” and that it was at the “homie’s” place on Austin. According to YUT, as long as nobody shot an UMass student, then everybody is gravy (mixed words in Khmer).²⁰ I believe that YUT was explaining to MAO that he had changed his method of distributing illegal narcotics and would require 50% upfront payment and then 50% upon delivery of the product. I also think he was referring to having on hand a large sum of money, perhaps more than \$100,000.

45. Later in the same conversation YUT spoke about fighting with members of ABZ [Asian Boyz Gang] in Lynn two years prior, with a black male named Marcus who was with some TRG [Tiny Rascals Gang] members. YUT said that TRG in Lynn tried to call TRG in Lowell to get at him, but that he was cool with some of them because he worked with a shot caller in Lowell (mixed words in Khmer). YUT said that he did business with TRG but not much. YUT also said that he did business with some members of the ABZ, and that he was cool with ABZ East Coast. YUT said that he was still beefing with Clowny and another member of

²⁰ On June 2, 2019, LPD responded to a shooting at 22 Auburn Street, where multiple shell casing were recovered and a victim was shot in the arm. According to a preliminary interview of a resident, the shooting may have been prompted by a bad drug deal with YUT.

ABZ. MAO said he heard that Clowny was doing good out there. YUT confirmed that Clowny was doing well, and that he ran into him the other day, but Clowny acted like he didn't know him. YUT said Clowny was lucky, because if YUT had had his 9mm on him, YUT would have smoked him.²¹ I believe that YUT was referring to incidents of past and potential gang violence.

46. On August 29, 2019 at approximately 8:51 pm, via a pole camera, surveillance observed the following: YUT parked in his vehicle, the blue Dodge Ram, at 105 Tanner St, Lowell, MA, flashed the headlights a few times and a white Honda CRV, bearing the license plate Massachusetts 297VC1 (the "white CRV") arrived and parked behind the blue Dodge Ram. YUT got out of the blue Dodge Ram and, with the driver of the white CRV, entered 105 Tanner Street. The male driver of white CRV wore dark colored pants, a t-shirt, a light colored baseball cap, and black and white shoes. At approximately 8:55 pm, YUT and the other male driver left 105 Tanner Street, with the male driver carrying a white trash bag. At approximately 8:56 pm, the white CRV departed and took a right onto Tanner Street towards Lincoln Street. Mobile surveillance continued to observe the white CRV turn right onto Lincoln Street towards Chelmsford Street and then cross Chelmsford Street onto Liberty Street towards Powell Street.

47. Following those observations, members of the Lowell Police Department observed the white CRV fail to stop for a marked stop sign on Liberty Street by Powell Street and pulled the white CRV over. The driver identified himself as GERSON MANZUETA, the registered owner of the white CRV. Officers asked MANZUETA if he had any drugs and he answered "just weed." Officers observed a medium sized, white trash bag – the same bag observed earlier – with what appeared to be a large amount of marijuana. Upon further

²¹ Clowny is identified by Lowell Police Department as Samnang Kong, a known ABZ member in Lowell.

investigation, officers found that the white trash bag contained two packages of marijuana, both weighing approximately one pound. Officers also saw a black computer bag on the rear seat of the white CRV, which contained another approximately one pound bag of marijuana. Officers searched the car and recovered other evidence of drug distribution, specifically a white prescription bottle of polyethylen glycol, a suspected cutting agent, and a motorized grinder, used to prepare narcotics. MANZUETA was issued a citation for failure to stop and arrested for possession of a class D substance with intent to distribute. I believe, based on the continuous observation of the white trash bag, that the marijuana came from YUT.

“Sneak & Peek” Search Warrant on Priority Mail Express Parcel on October 4, 2019

48. On October 4, 2019, at approximately 3:52 p.m., by pole camera surveillance, agents observed YUT and a conspirator enter 105 Tanner Street, which has been previously identified as a stash location. At approximately 4:02 p.m., the conspirator left the building, went to his car, and returned to the location with mailing envelopes. Starting at approximately 4:06 p.m., the conspirator left carrying a package and then YUT separately left carrying a package. At approximately, 4:33 p.m., YUT arrived at the Lowell Post Office..

49. Inside the Lowell Post Office, surveillance observed YUT mail one Priority Mail Express Envelope at the service counter. At the conclusion of the transaction, YUT departed the post office.

50. At approximately 4:55pm, law enforcement identified the parcel YUT had mailed as Priority Mail Express EJ120562507US (PARCEL 507US). PARCEL 507US was a USPS Priority Mail Express Envelope, weighing approximately one pound, 12 ounces and postage of

\$25.70. PARCEL 507US listed Jason Chan, 58 Midland Street, Lowell, Massachusetts 01851 as the sender and Jenny Chan, 4118 Hathaway Avenue, #1, Long Beach, California 90815 as the recipient.

51. A query with the law enforcement database CLEAR indicated legitimate sender and recipient addresses, but fictitious sender and recipient names for PARCEL 507US. PARCEL 507US was addressed to a narcotic source city; the address information was handwritten; the handwritten mailing label did not contain a business account number, thereby indicating that the sender paid cash; and the parcel was addressed from an individual to an individual. Based on USPIS intelligence and my training and experience, all of these characteristics are consistent with a parcel that contains illegal controlled substances or drug proceeds.

52. At approximately 4:55pm, in anticipation of obtaining a “sneak & peek” search warrant, law enforcement detained PARCEL 507US and transported it to the FBI Lowell Resident Office, pending approval of the aforementioned search warrant. At approximately 5:20pm, the United States District Court for the District of Massachusetts issued a “sneak & peek” search warrant for PARCEL 507US. Case No. 19-MJ-6437-MPK.

53. At approximately 5:26pm, law enforcement opened PARCEL 507US. An inspection of the parcel’s contents consisted of several layers of additional internal packaging, to include one soft USPS Priority Mail Express Envelope, one hard USPS Priority Mail Express Envelope and vacuum & heat-sealed contents. The vacuum & heat-sealed contents were additionally wrapped in a brown paper bag, further concealing the specific items. Upon

manipulation of the vacuum & heat-sealed contents, law enforcement noted that the items were arranged as three individual stacks, similar to stacks of money.

54. Law enforcement elected to forego opening the vacuum & heat-sealed items in an effort to preserve the investigation and because they did not have the necessary equipment and supplies to “re-package” those items, as they were not familiar with the organization’s modus operandi of sending narcotics proceeds through the U.S. Mail.

55. On October 5, 2019, a review of USPS Business Records confirmed the delivery of PARCEL 507US to its respective destination.

December 2019 Trip to California in Furtherance of Drug Conspiracy

56. On December 12, 2019, YUT and Peouveasnah PIN aka POE traveled from Boston to San Jose, California. According to law enforcement surveillance, Alphonso HUYNH picked up PIN and YUT at the airport (HUYNH was listed as the recipient for previous packages sent by YUT to San Jose, California, which likely contained drug proceeds). According to law enforcement surveillance, HUYNH drove slowly on the highway from the airport to the hotel, where YUT, PIN and HUYNH spent approximately 30 minutes, and then drove away from the hotel at a high rate of speed, losing the surveillance unit. I believe that YUT and PIN brought bulk money with them to pay HUYNH for recent drug shipments because agents have not seen YUT send an outbound package to HUYNH since November 6, 2019, which was a break from the previous pattern. In addition, HUYNH’s driving was consistent with an attempt to avoid being pulled over while the money was in the vehicle; once the money was likely in the hotel, HUYNH drove in a more normal fashion—in fact, fast enough to lose surveillance.

57. During a telephone call on December 15, 2019 at 3:09 pm, YUT asked MAO about the deal a while back and said he [YUT] just got with his boy again. YUT also said that he got about 35 but he will get more (mixed words in Khmer). I believe, based on prior conversations between YUT and MAO regarding illegal pill deals, that “35” refers to pills that YUT could provide to MAO. MAO said he has been in the hole for about 45 days and just got out. YUT said he is working right now and in San Jose, CA. MAO asked if YUT stopped by to see his brother Shame jokingly and YUT said he was too far of a drive away. Peouveasnah PIN aka POE could be heard in the background talking. MAO asked who was with YUT, who said POE. YUT told MAO to let him know if he was still down for that. MAO asked YUT how long had he had it [meaning the drugs] and YUT said recently, about a week before his recent trip [i.e., the trip to California]. YUT said he would be flying back to Lowell the next day and would be out and about on Tuesday (i.e., the following day). I believe that YUT referred to activities in furtherance of his drug business by “working” and that YUT was offering drugs to MAO.

58. Later in the same conversation, YUT asked MAO where he is going when he leaves jail and MAO said he will be in Maryland. MAO spoke about his cousin/co-defendant and how he was being monitored after release, about him being/doing good. YUT spoke in Khmer about MAO getting out and overseeing/holding his money because he doesn’t trust people down there. YUT said he has a few people down there that owns clubs, etc that order pills and have been working with them for three to four years and they haven’t come short but he limits them in case they come short and he can’t cover (mixed words in Khmer). YUT said he’d rather be “ghosty” and said “what the fuck did I do?” YUT told MAO to send him an address

and he will take care of it. MAO said to look for a 703 number and it will be the one to text YUT. YUT said he will be back in town Tuesday.

59. On the same date starting at 4:07:10 PM, according toll data, YUT had via target phone number had 17 text message contacts with 1-703-249-9548. According to VADOC 703-249-9548²², MAO calls this number prolifically. Between December 1 and 16, 2019, MAO called this number over 350 times. Additionally, Mao uses the pin codes of other offenders to call this number. The first record of MAO calling EM on 703-249-9548 was on August 5, 2019.

60. During a series of recorded telephone calls on December 15, 2019 between 4:01 pm and 10:46 pm, MAO from prison contacted SATHRA EM on 703-249-9548. In sum and substance, I believe that MAO ordered a quantity of illegal drugs from YUT, specifically by having EM text YUT, as directed by MAO. Specifically, the following conversation ensued over the course of the calls. MAO said “Can you get on Google text”, to which EM responded “Get on what?” MAO said, “Google text” and EM responded “Alright, hold on”. MAO said he needed to text “Ah Khmaw” [YUT] and “Make sure it was the Google number”. MAO then told EM to text YUT, asking if he could get M, which I believe was a reference to illegal drugs. MAO said, “Tell, ask him, ask him, say Whitebodian said can you get, still get some M” (mixed words in Khmer).²³ EM asked “Ok what do you want me to say?” MAO responded “I just told you”. EM said “Uh I didn’t hear you”. MAO said “Ask him, Ah Whitebodian ask can he still

²² According to VADOC records, Sathra EM is the registered user of 703-249-9548. EM is the ex-wife of SARATH YUT, with whom she has two children. Unbeknownst to YUT, EM and MAO are in a romantic relationship.

²³ “Whitebodian” is a name for MAO; “M” means MDMA in this context.

get... my name, first one”, to which EM responded “Mm hmm”. EM told MAO that she sent it and MAO asked if she could stay on the line with him to see what his reply would be. MAO next told EM that he spoke to him (“Khkaw,” i.e., YUT) today. MAO and EM further discussed YUT’s responses, how much MAO wanted to order and how much it would cost. MAO said “Did he say anything?”, to which EM responded, “Yeah he did say something... [Unintelligible]... He gave me the girl’s name”. Again, I believe that they were referring to illegal drugs. MAO asked if he needed him to send money for it (mixed words in Khmer). MAO said “Did he give you a price?” EM said “No”. MAO asked “What did he say? Something bad, something good?” EM said “No, uh, depend on you. On the number”. EM said “He said depends on the count”. MAO then said “two, two (in Khmer), remember when I had you asked somebody about last time about that? ... then we asked for a hundr [sounded like a hundred in Khmer but stopped short].” EM said “Daddy I’m not going to remember”. MAO said to tell him “two, the number two, yeah... two Z’s (mixed words in Khmer).” EM said “Ok hold on”. MAO then said the letter Z. MAO then asked EM if she sent it already and she said “yeah”. MAO said he should have asked how much one was first. As a result of these conversations, I believe that MAO has enlisted EM to facilitate YUT’s shipment of illegal drugs to MAO. Specifically, I believe that MAO instructed EM – by Google text – to order 100 pills of MDMA, which he has previously order from YUT.

61. On December 16, 2019, YUT and PIN traveled back from California.

62. During a telephone call on December 19, 2019 at 1:52 pm, between MAO and YUT, MAO said “I’m trying to catch up but I’m a little low.” YUT said “he called me looking for the other thing” and MAO replied yeah, yeah, yeah (mixed words in Khmer).” YUT said, “I

told her for that one, we don't have in on-hand, cause we have a little issue with that because it's the end of the month and it is New Year's that's why and everybody is working (mixed words in Khmer)." MAO asked "what's the total you got of that?" YUT asked "the other one? Sixty (mixed words in Khmer)." YUT said that his friend would need a week or two to get the rest. Later in the conversation, MAO told YUT to hit that number up whenever you're ready for anything... whichever one you're ready just hit it up and YUT said alright. I believe that, based on the conversation between YUT and MAO, that YUT is sending MAO illegal narcotics via an intermediary outside of the prison. YUT also explains that due to the holiday season he was a little low on product, but would subsequently get MAO the illegal narcotics when they were available. I believe that YUT would most likely be sending pills to MAO.

Sneak & Peek Search Warrant on Priority Mail Express Parcel on January 6, 2020

63. On December 19, 2019, YUT mailed two packages from the Tewksbury Post Office, which is located at 1751 Main Street, Tewksbury, Massachusetts. The sender information was listed as Steven SAK 70 Villa Roma Dr #70, Tewksbury, MA 01876, and the packages were addressed to Jenny SAK 1436 Obispo Ave Apt 301 Long Beach 90804; and Kathy SAK 4118 Hathaway Ave Apt 1 Long Beach, 90815. According to video surveillance, YUT actually mailed both packages, and the addresses are consistent with previous packages mailed by YUT to California. As a result, I believe that YUT has changed his practice to mailing from the other Post Offices.

64. On January 6, 2020 at approximately 2:02pm, via pole camera surveillance, YUT was observed entering 105 Tanner Street, which is the location of a stash house. YUT arrived in his black 1998 Honda Civic sedan, bearing Massachusetts registration 1RCR67 (the "black

Honda”). Approximately one minute later, YUT left 105 Tanner Street, with packaging material similar in size and description as postal mail parcels. YUT then removed an item from the trunk of the black Honda and entered the vehicle. YUT appeared to be packing the mail parcel while seated in his vehicle. YUT then departed in the black Honda at approximately 2:06pm.

65. According to electronic surveillance of the black Honda, YUT traveled to the Tewksbury Post Office. According to video surveillance inside the Tewksbury Post Office, at 2:40 pm, YUT mailed a package, which bore the tracking number 9505 5110 0158 0006 5799 51, was addressed to “Jenny Seng, 4118 Hathaway Avenue #1, Long Beach, CA 90815”, and bore a return address of “Christian Seng, 28 Maplewood Ave, Tewksbury, MA 01876”. These characteristics, particularly the destination address, are also consistent with the other mailings by YUT²⁴.

66. On January 6, 2020, the United States District Court for the District of Massachusetts issued another sneak and peek search warrant for that package. Case No. 20-MJ-1000-DLC. The search warrant revealed \$21,000 in US currency and the package was returned to the mail.

Search Warrant on Priority Mail Express Parcel on January 10, 2020

²⁴ The Sackett affidavit dated January 6, 2020 included two errors. The correct tracking number for that Affidavit’s Target package was 9505 5110 0158 0006 5799 51 previously listed as 9605 5110 0158 0006 5799 51 and the correct return address was Christian Seng, 28 Maplewood Ave, Tewksbury, MA 01876 previously listed as Christian Seng, 25 Maplewood Ave, Tewksbury, MA 01876. The two errors were one number off and were identified once re-examining the mailing label.

67. According to video from the Tewksbury Post Office, YUT mailed a second smaller package on January 6, 2020. That package, bearing the tracking number 9505 5110 0158 0006 5799 44, was addressed to “Aubrey Seng, 1550 Union Cemetery Rd, Charlotte, VA 23923”, and bore a return address of “Christian Seng, 28 Maplewood Ave, Tewksbury, MA 01876”.

68. USPIS intercepted that package in Nashua, New Hampshire, and the package remained in the custody of USPIS in Manchester, New Hampshire.

69. On January 10, 2020, the United States District Court for the District of New Hampshire issued a search warrant for that package. Case No. 20-MJ-10-AJ. The search warrant resulted in the seizure of 30 grams of MDMA, commonly referred to as Molly, and 37 packets of Buprenorphine²⁵. The seizure of these narcotics corroborates the belief that MAO and YUT continue to engage in a drug conspiracy and now EM is actively engaged in this on-going conspiracy.

70. Further research by USPIS identified two similar packages: Priority Mail Express EJ210226083US, mailed on December 23, 2019; and Priority Mail Express EJ210226485US, mailed on January 2, 2020, both from the Lowell Post Office. Video surveillance identified Sathra EM as the shipper of these packages. I believe that these facts establish 1550 Union

²⁵ Buprenorphine, commercially marketed as Suboxone® and Subutex®, is used in medication-assisted treatment (MAT) to treat Opioid Use Disorder (OUD). Buprenorphine is an opioid partial agonist. This means that, like opioids, it produces effects such as euphoria or respiratory depression at low to moderate doses. With buprenorphine, however, these effects are weaker than full opioid agonists such as heroin and methadone. Buprenorphine and all products containing buprenorphine are controlled in Schedule III of the Controlled Substances Act.

Cemetery Rd, Charlotte, VA (to which the seized and searched package had been addressed) as an address that MAO has used to have items shipped to him, and that he has used that address because he does not want the items, which likely contain contraband, shipped directly to him at the prison. Additionally, I believe that YUT received the 1550 Union Cemetery Rd address from EM, and when he had sufficient supply of illegal narcotics, he subsequently mailed out the package bearing the tracking number 9505 5110 0158 0006 5799 44 on January 6, 2020 to MAO.

Fallout from the Drug Seizure

71. Beginning on January 9, 2020, MAO from prison made a series of phone calls to YUT and EM, in an effort to locate the intercepted package. In sum and substance, the following conversation ensued over the course of the calls.

72. During a telephone call on January 9, 2020 at 2:44 pm, YUT asked if it arrived yet and MAO said no, that was why he was calling. MAO said that he thought it was supposed to get there yesterday. YUT asked if the address that he was given, was a courthouse? MAO said that he didn't know and that it was his "nigga's spot". MAO said he used that address before and that he knows it was good. YUT asked again if he sent it to a courthouse address. YUT said that on the thing it said "Charlotte Courthouse." MAO said that he did not know anything about that and that he used it before and it was good. YUT said he was confused and asked if that was the name of the county? I believe that YUT and MAO were trying to figure out what had happened to the package.

73. During a telephone call on January 9, 2020 at 04:21 pm, MAO said that the city YUT wrote on there was wrong. YUT said that he put down whatever "you gave me". MAO

said the receipt that she got, said Charlotte and it was supposed to say “Charlotte Courthouse... it is two different cities.” MAO said that he thought that it would still make it there and that the mix-up with the name of the address was the reason why it was late. YUT said that whatever address that he was given was what he put down. MAO said there was also a name on it [i.e., the package] and there was no supposed to be a name. YUT said that he did put a name but it was a dummy name. I believe that they continued to discuss the drug shipment and that “she”, who got the receipt, was EM.

74. During a telephone call on January 9, 2020 at 4:27 pm, EM said the reason why she wasn’t worried about it was because she saw the receipt printout from the USPS, which said the correct place. MAO said he just spoke to Black [i.e., YUT] and Black said he put down whatever address he was told to put except that he put a dummy name. MAO asked EM if she was sure she looked at it right because he did put down Charlotte Courthouse. EM said when she saw his writing it only said Charlotte and that she did not see Courthouse on it. MAO asked about tracking information, which I know referred to the online tracking offered by the US Postal Service. EM said that it [i.e., the tracking information] said in transit and it’s arriving late... it is guaranteed to arrive there eight at night.” MAO said to tell Apple²⁶ what name it was coming in because he was coming to work soon and MAO needed him to know ASAP. EM said she would need the internet to know and MAO said he would hang up. EM said that MAO did not have to have up because she could only “do it” on her laptop and needed the internet. I believe that MAO wanted to get information regarding the package, which h he still believed would arrive, to

²⁶ Apple is an unidentified co-conspirator.

an unidentified co-conspirator named Apple and that EM was going to use the internet, likely her Google account, to pass that information to Apple.

75. During a telephone call on January 9, 2020 at 10:55 pm, MAO said he was scared because the package was supposed to get there yesterday and asked YUT to do. YUT asked if the package had arrived yet, because that same day he had also sent to his boy in California and that he [in California] just got it that day. YUT said that it might have been delayed because of MAO's area and that he had never sent to his area prior. MAO asked if YUT thought that there was anything "fucked up". YUT said that he did not think so. Later in the conversation, MAO said that address was the address and MAO used a Khmer word for "police," that worked there. MAO said further that he spoke to him that day and he (the "police") said everything was correct. YUT said that he had to wait for it to come in and, later in the conversation, that he MAO's friend just had to keep an eye on it, and that, if they took the package, then they would know right away. YUT also said that he (MAO) did not tell him (YUT) that the house was a pig's house and he thought it was a regular house. MAO said that it was the address that he gave him, maybe it was a friend's house, and that he (MAO) did not think that he was stupid enough to use his own address. I believe that they continued to discuss the missing package, which they confirmed contained something contraband and mistakenly believed was not intercepted. I believe that they also discussed the intended recipient, who – according to their conversation – may be affiliated with law enforcement.

76. During a telephone call on January 10, 2020 at 5:07 pm, YUT said nothing had changed. Later, MAO asked if the police knew about it, what should his "nigga" do? YUT said he did not think they knew, and asked, what is that place? MAO said "it is that nigga's house"

and “that’s just the name of the city... that’s the right one... that’s his place.” YUT said he still had until 8 o’clock that night to see if it came in, if not... because it is a small box. MAO asked “what if they leave a message to pick it up? Should not let him go, right?” YUT then gave MAO instructions for receiving the package. MAO said to tell his girl what YUT told him and relay that to Apple. Because MAO was actually in prison, I believe that they were discussing having “Apple,” MAO’s associate in Virginia, retrieve the package.

77. During a telephone call on January 10, 2020 at 7:54 pm, MAO said he thought it was gone and YUT said he did not think so. YUT said last time it took a while to get there but it got there. MAO disagreed. YUT said it was a small package and that they may have overlooked it. MAO said that he did not want the police that worked for him to get... (Unintelligible). Later in the call, YUT said that, if they took it, they would have said something already. I believe that they were further discussing the missing package and further believe that MAO’s associate is a member of law enforcement.

78. During a telephone call on January 10, 2020 at 8:01 pm, MAO asked EM to call and find out why the package was late. EM said she was scared to call. MAO asked if EM has to call from her number and not from the G number. EM said she can call from the G number but was wondering if they could track it down to what she linked it to. EM said she was just paranoid about it. MAO said that they could not trace it and all she had to do was change it. EM said she would call them later. MAO asked what name was on the thing that the “nigger” sent? EM said AUBREY SENG. MAO said “AUBREY.” MAO said to call from the number you use with Apple. EM said she cannot do it and MOA asked why not. EM said she needed headphones to make the call and would call from her laptop. As a result, I believe that MAO

was instructing EM to call from her computer, likely using her Google account.

79. On March 12, 2020, MAO sent an email to EM (I am aware that EM has email accounts with Yahoo, Microsoft, and Google). In the email, MAO wrote, “[a]sk apple if he’ll be able to bring some cigarettes [translated] today if you sent him the money [translated] now? If he says yeah, send the 550 [translated]. Okay?” I believe that this email demonstrates that MAO continues to be associated with Apple, which I believe is MAO’s code word for the law enforcement member, likely a corrections officer employed at MAO’s prison.

***PROBABLE CAUSE TO BELIEVE THAT THE ACCOUNTS
CONTAIN EVIDENCE, FRUITS, AND INSTRUMENTALITIES***

80. I also have probable cause to believe that the Google Voice account 703-249-9548 and associated data contain evidence, fruits, and instrumentalities of the crimes identified above.

81. As stated above, MAO specifically instructed EM to log into her Google account to send a message to YUT and to call from her laptop, likely from her Google account. MAO and EM were in continuous contact using this account. According to VADOC, this number was attributed to EM, which was corroborated by the recorded phone conversations.

82. On January 3, 2020, the FBI sent Google a letter requesting under 18 U.S.C. § 2703(f) that the company preserve records associated with Google phone number 703-249-9548 for 90 days. On March 17, 2020, a second preservation letter was sent to Google for an additional 90 days.

83. According to results furnished by Google, SATHTRA.EM is associated with the Google Voice number 7032499548. Google provided the following account information:

E-Mail Address: sathtra.em@gmail.com

First Name: Sathtra
Last Name:
Voice Number: 2762000046
Sign-Up IP:
Start Time: 2019/08/05 03:13:59 UTC
End Time: 2020/01/04 04:33:51 UTC
Google Account ID:109714834227

84. Additionally, Google provided subscriber information for Google Account ID 109714834227:

Name: Sathtra
e-Mail: sathtra.em@gmail.com
Alternate e-Mails:
Created on: 2009-04-05 18:15:00 UTC
Terms of Service IP:
Last Logins: 2020-03-25 14:48:18 UTC
ACCOUNT RECOVERY
Recovery e-Mail: sathtra.em@live.com
Recovery SMS: +19787265386 [US]

TECHNICAL BACKGROUND

85. Retention periods vary by product and are subject to change. In addition, Google allows customers to store opened incoming mail and sent mail indefinitely if they choose, subject to a maximum size limit.

86. I am aware that providers such as Google also typically maintain electronic records relating to their customers. These records include account application information, account access information, and e-mail transaction information.

87. Many providers such as Google can also provide the following additional information associated with a subscriber's account: address books; buddy lists; photos, files, data, or other information; and World-Wide Web profiles or homepages.

88. Google Voice can also provide the following additional information associated

with a subscriber's account: Subscriber registration information; Sign-up IP address and associated time stamp; Telephone connection records; Billing information; Forwarding number; Stored text message content; Stored voicemail content.

LEGAL AUTHORITY

89. The government may obtain both electronic communications and subscriber information from an e-mail provider by obtaining a search warrant. 18 U.S.C. §§ 2703(a), 2703(c)(1)(A).

90. Any court with jurisdiction over the offense under investigation may issue a search warrant under 18 U.S.C. § 2703(a), regardless of the location of the website hosting company or e-mail provider whose information will be searched. 18 U.S.C. § 2703(b)(1)(A). Furthermore, unlike other search warrants, § 2703 warrants do not require an officer to be present for service or execution of the search warrant. 18 U.S.C. § 2703(g).

91. If the government obtains a search warrant, there is no requirement that either the government or the provider give notice to the subscriber. 18 U.S.C. §§ 2703(b)(1)(A), 2703(c)(3).

92. This application seeks a warrant to search all responsive records and information under the control of Google, a provider subject to the jurisdiction of this court, regardless of where Google has chosen to store such information. Pursuant to 18 U.S.C. § 2713, the government intends to require the disclosure pursuant to the requested warrant of the contents of wire or electronic communications and any records or other information pertaining to the customers or subscribers if such communication, record, or other information is within Google's possession, custody, or control, regardless of whether such communication, record, or other

information is stored, held, or maintained outside the United States.

REQUEST TO SEAL AND PRECLUDE NOTICE TO THE SUBSCRIBER(S)

93. I request that this application, the warrant, the order, and any related papers be sealed by the Court until such time as the Court pursuant to Local Rule 7.2 directs otherwise.

94. I further request that, pursuant to the preclusion-of-notice provisions of 18 U.S.C. § 2705(b), the Court order Google not to notify any person (including the subscriber to whom the materials relate) of the existence of this application or the Court's Order for the earlier of one year from the date of the Court's Order or upon notice by the government within 30 days of the conclusion of its investigation, unless the Court extends such period under 18 U.S.C. § 2705(b). Non-disclosure is appropriate in this case because the Court's Order relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the existence of the investigation. There is accordingly reason to believe that notification of the existence of the Order will seriously jeopardize the investigation, including by: giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or intimidate potential witnesses. See 18 U.S.C. § 2705(b). Moreover, some of the evidence in this investigation is stored electronically. If alerted to the existence of the Order, the targets could destroy that evidence, including information saved to their personal computers, on other electronic media, or in social media accounts.

FOURTEEN-DAY RULE FOR EXECUTION OF WARRANT

95. Federal Rule of Criminal Procedure 41(e)(2)(A),(B) directs the United States to execute a search warrant for electronic evidence within 14 days of the warrant's issuance. If the

Court issues this warrant, the United States will execute it not by entering the premises of Google, as with a conventional warrant, but rather by serving a copy of the warrant on the company and awaiting its production of the requested data. This practice is approved in 18 U.S.C. § 2703(g), and it is generally a prudent one because it minimizes the government's intrusion onto Internet companies' physical premises and the resulting disruption of their business practices.

96. Based on my training and experience and that of other law enforcement, I understand that e-mail providers sometimes produce data in response to a search warrant outside the 14-day period set forth in Rule 41 for execution of a warrant. I also understand that e-mail providers sometimes produce data that was created or received after this 14-day deadline ("late-created data").

97. The United States does not ask for this extra data or participate in its production.

98. Should Google produce late-created data in response to this warrant, I request permission to view all late-created data that was created by Google, including subscriber, IP address, logging, and other transactional data, without further order of the Court. This information could also be obtained by grand jury subpoena or an order under 18 U.S.C. § 2703(d), neither of which contains a 14-day time limit. However, law enforcement personnel will seek to avoid reviewing any late-created data that was created by or received by the account-holder(s), such as e-mail, text messages or voicemails, absent a follow-up warrant.

99. For these reasons, I request that the Court approve the procedures in Attachment B, which set forth these limitations.

CONCLUSION


100. Based on the information described above, I have probable cause to believe that records and data from the target accounts (as described in Attachment A), contain evidence, fruits, and instrumentalities of the above-listed crimes (as described in Attachment B).

101. The procedures for copying and reviewing the relevant records are set out in Attachment B to the search warrant.

Respectfully submitted,

/s/ Matthew Zarembo ^{DLC}
MATTHEW R ZAREMBA
Special Agent
Federal Bureau of Investigation

Signed electronically and sworn before me by telephone
on May 4, 2020


DONALD L. CABELL
United States Magistrate Judge

